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5 MAY 01 2014

6 AT SEATTLE
7 CLERK U.S. DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 DEPUTY

10 The Honorable John C. Coughenour



11 13-CV-02245-ORD

12 UNITED STATES DISTRICT COURT
13 FOR THE WESTERN DISTRICT OF WASHINGTON
14 AT SEATTLE

15 MICROSOFT CORPORATION,

16 Plaintiff,

17 v.

18 SICHUAN CHANGHONG ELECTRIC
19 COMPANY, LTD.,

20 Defendant.

21 CASE NO. C13-02245-JCC

22 JOINT STIPULATED MOTION AND
23 [PROPOSED] ORDER REQUESTING
24 FURTHER EXTENSION OF TIME FOR
25 DEFENDANT TO RESPOND TO
26 COMPLAINT BY 14 DAYS PURSUANT
27 TO LCR 7(d)(1)

28 **NOTE ON MOTION CALENDAR:**
29 April 29, 2014

30 **STIPULATION**

31 Pursuant to Local Civil Rule 7(d)(1), Plaintiff Microsoft Corporation ("Microsoft") and
32 Specially Appearing Defendant Sichuan Changhong Electric Company, Ltd. ("Changhong"), by
33 and through their undersigned counsel, stipulate as follows:

34 WHEREAS, Microsoft initiated this action on December 17, 2013;

35 WHEREAS, Changhong agreed to waive service of a summons and the complaint in this
36 action;

37 WHEREAS, upon joint motion of the parties, on February 21, 2014 and March 21, 2014,
38 the Court granted 30-day extensions of time for Changhong to respond to the Complaint;

39 WHEREAS, Changhong's current deadline to respond to the Complaint is May 5, 2014;

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41 JOINT STIPULATED MOTION AND [PROPOSED] ORDER
42 REQUESTING FURTHER EXTENSION OF TIME FOR
43 DEFENDANT TO RESPOND TO COMPLAINT BY 14 DAYS
44 PURSUANT TO LCR 7(d)(1) - 1
45 CASE NO. C13-02245-JCC

46 4838-5850-1402.v1

47 SUMMIT LAW GROUP PLLC
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49 SEATTLE, WASHINGTON 98104-2682
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1 WHEREAS, on April 7, 2014, the Court on its own initiative and in the interest of judicial
2 economy ordered the Status Conference set for April 15, 2014 rescheduled for June 17, 2014 at
3 9:00 a.m.;

4 WHEREAS, the parties continue to be actively involved in settlement negotiations and the
5 preparation of proposed settlement documentation in an attempt to settle this matter in its early
6 stages;

7 WHEREAS, the parties have been working diligently to resolve this dispute without the
8 Court's intervention;

9 WHEREAS, the parties have made considerable progress since their last motion for
10 extension and remain hopeful that their continued and sustained efforts will result in the removal
11 of this matter from the Court's docket;

12 WHEREAS, by filing this stipulated motion to extend time to respond to the Complaint,
13 Changhong does not make a general appearance or waive any jurisdictional defenses or objections,
14 including but not limited to defenses or objections on the grounds of lack of personal jurisdiction
15 or improper venue. *See Benny v. Pipes*, 799 F.2d 489, 493 (9th Cir. 1986) (filing motion to extend
16 time to respond to complaint did not constitute general appearance or waiver of jurisdictional
17 objections);

18 NOW THEREFORE, in light of the fact that the parties are engaged in continuing,
19 extensive, good faith settlement negotiation and documentation efforts, the parties hereby jointly
20 respectfully request that the deadline for Changhong to respond to the Complaint be extended by a
21 further fourteen (14) days, to and including May 19, 2014.

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JOINT STIPULATED MOTION AND [PROPOSED] ORDER
REQUESTING FURTHER EXTENSION OF TIME FOR
DEFENDANT TO RESPOND TO COMPLAINT BY 14 DAYS
PURSUANT TO LCR 7(d)(1) - 2
CASE NO. C13-02245-JCC

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1 DATED this 29th day of April, 2014.

2 K&L GATES LLP
3 Attorneys for Plaintiff Microsoft Corporation

SUMMIT LAW GROUP PLLC
Attorneys for Specially Appearing Defendant
Sichuan Changhong Electric Company, Ltd.

4
5 By /s/ David L. Bateman
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By /s/ Philip S. McCune
7 By /s/ Denise L. Ashbaugh
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ORDER

9 Based on the above Stipulation of the parties, IT IS HEREBY ORDERED that
10 Changhong's deadline to respond to the Complaint shall be extended by fourteen (14) days, to and
11 including May 19, 2014.

12 IT IS SO ORDERED

13 DATED this 15 day of May, 2014.

14
15 
16 THE HONORABLE JOHN C. COUGHENOUR
17 UNITED STATES DISTRICT JUDGE

18 **Presented by:**

19 K&L GATES LLP
Attorneys for Plaintiff Microsoft Corporation

SUMMIT LAW GROUP PLLC
Attorneys for Specially Appearing Defendant
Sichuan Changhong Electric Company, Ltd.

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26 JOINT STIPULATED MOTION AND [PROPOSED] ORDER
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